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Litt Him Up.

Lying so low in the gutter, lograled and black with six White gar receive tallioned and Sillyblow shattered and End within Itte two had grown ngly and brutal,

And but is each trace divine: The reign of his presions has made him companion above for the swine. " He is to der green," they tell me,

All they who pass him by ;

matter how to brack blim," to be to left to die. 25; was more "sumebody's darling," That some so degrated and wile.

And the beart of some one that loved him Was more made glad by his smile. There has that now towards but carring A mother's kies once pressed,

And that bair, once soft and golden, There syes, now bleaved and scotless, then lighted with love's bright glow, Burned with thoughts that angels know.

Let your tone-drops full, of pity, Upon times darkened leaves, Easting here-" Possible all things," Pricult of Integerance, this your mission Firms in love's power to sero, With a sympathy samest, untiring, tio, bring him up from the grave.

Variety.

The Boston Transcript thinks that a remark of the New Orleans Times, that a man has passed to " his sempiternal betitage," leaves a torturing doubt us to his final destination.

The man who believes "it is better to have loved and lost, than never to have loved at all," lives next door to a man who won, and can hear the "music" that she makes for him very plainly.

- Why," asked a married man of his wife's mother, "do they call residents in the South Sea Islands cannibals?" "Because, my dear, they live on other people. Brown has been wondering ever since if his mother-in-law was a canni-

The sight of a former lover sitting in the church gallery during the performance of a marriage eremony, frightened a Wisconsin bride so that she fainted away. At the moment of her collapse, she had on \$1,500 worth of jewelry that he had given her.-Brooklyn Argus.

This is what a Western Jenkins saw at a wedding reception the other evening : "The jallies upon the bridal supper tables were pure amber masses of quivering translacence catching the wine-colored prisms of perfumed light, and holding them in tremulous mirrors of rosy beauty?"

Sheridan made his appearance one day in a pair of new boots; these attracted the notice of some law of this Kingdom is, that in order to validate of his friends. "Now guess." said he, "how I came by these boots." Many probable guesses took place. " No !" said Sheridan; " no, you've not hit it, nor never will-I bought them and paid for them !"

Pretty Assistant : "Wont you please make a small purchase for the benefit of the dumb animals, sir ?" Young man (with big ears) : "No, thank yer, I'm not interested in dumb brutes myself." Pretty Assistant : " Oh, but you must symphathine with the young donkeys, sir." Young man

The other day a minister offered a prayer at the bustled up and said, " I wish you would give me the manuscript of that prayer." "I never write out my prayers," replied the preacher. " Well," said the reporter, "I couldn't hear a word you said." "I wasn't praying to you," quickly responded the parson.

Mr. Magoffin braced himself against the boarding-house table and tried once more to cut the steak. The edge of the knife turned, but the meat showed no mark. Then he called the waiter. "Thomas, has the cook used the ax much lately to chop kindling wood on the celtar-door stops?" "Why sir?" "Because," said Mr. Magustin. " if it ain't too dull I would like to try it on this steak."

held forth to a congregation of a truly orthodox | fluctuation of judicial decision." church in a Pennsylvania village. Great was the indignation of his auditors at bearing him detounce the atheistic teachings of Darwin and Spencer. He appreciated the point upon learning afterward that the people, who had never heard the English writer on social science, thought he was referring to their beloved pastor, Rev. Ichabod Spencer.

A one legged Yankee orator, named Jones, was pretty successful in bantering an Irishman, when the latter asked him, " How did you come to lose your leg?" " Well," said Jones, " on examining my pedigree and looking up my descent I found there was some Irish in me, and having become couvinced that it had settled in that left leg. I had it cut off at once." "He the powers," said Put, "it would have been a better thing if it had settled in your head."

A gentleman was looking into the window of a toy store the other day, when two boys halted, and one remarked : " Say, Jim, don't you wish we had ten cents to buy presents for our poor, lame sister ?" Jim replied that he did, and the contiemen polled out a shinplaster and said he was glad to be able to assist them in such a praiseworthy enterprise. He met the same boys bell an hour afterward, and each had his pockets stuffed with pop-corn balls.

He laid down the basket of chips he had pillered, and, looking hard at the urchin who had been making a target of him by shooting at him with a "nigger killer," said : "Whar was you mised, chile?" "Schucargo," said the young boodiem. "In de Norf?" "Yeth, thur." "I tort so. Seddurn white folks' children wuddent to like dat. Lemme tell you, honey, manners gwine to carry you furder den money. You hear

nse ! - Dallas (Texas) Herald. During the great collapse of 1857 a gentleman of color kept a bank in a Western city. His into be in Isshop with the white folks he concluded does sofily, and throwing out one boot remarked, odious hanger on and have enough in addition for its own branches and leaves.

HAWAITAN GAZEII

A WEEKLY JOURNAL, DEVOTED TO HAWAHAN PROGRESS.

VOL. XI,--NO. 22.

HONOLULU, WEDNESDAY, JUNE 2, 1875.

Supreme Court of the Hawalian Islands-At Chambers.

AH FAI W. KINIMAKA.

PETITION FOR ANNUARRY OF MARRIAGE. In this case the petitioner alleges that in August, 1862, he was lawfully married in the city of Canton in the Empire of China to one Ah Yok. and the mid Ah Yak is now living, has never been divorced from the petitioner, and remains and is his lawful wife. That on the 15th of December, 1870, the petitioner was married in Honofele to Kinimaka, that she deserted petitioner. in 1871, and is now living. That no children were born of the said marriage with Kinimaka. Both parties, Ah Fai and Kinimaka, were present in Court, and the latter makes no opposition

to the petition.

I regard the two marriages as sufficiently proved by the testimony. I find a difficulty, however, in pronouncing a sentence of nallity of the second marriage, upon the petition of the party whose prior marriage is the ground for the annulment of the second murriage. The petitioner knew, when he married the respondent, that he had an undivorced wife living, and that his second marriage was null and void. He was guilty, therefore, of a fraud upon the respondents for there is no evidence that she knew of the prior marriage; the withholding from the respondent the fact that he had a wife living was legal fraud on the part of the petitioner. How then can the petitioner ask to be freed from the marriage contract in which his own fraud entered, in order to procure the assent of the respondent?

Bishop on Marriage and Divorce, Sec. 122, says : "We may presume that the guilty party would not be permitted so far to take advantage of his own wrong, as to maintain a suit for nullity solely on that account."

The counsel for the petitioner quotes per contra, Sec. 1315 of the Civil Code, which reads as follows: "A marriage may be declared null on the ground that one of the parties has an undi- Lumber, Paints, Oil, Nails, Salt and Building vorced husband or wife living, on the application of either of the parties during the life-time of the other, or on the application of such former hus-

I regard this as meaning that the application may be made by either the busband, if his wife IMPORTERS AND COMMISSION MERCHANTS, have an undivorced busband living, or by a wife, if her husband have an undivorced wife living : but not that the party may set up his own fraudulent and criminal acts as a ground for relief by the

This is not the case of marriages contracted by error, duress or fraudulent representations, where the parties imposed upon may waive the tort and confirm the marriage, and thus render good what was previously voidable. The State has an interest in the marriage relation, and the the marriage contract, it shall be necessary that the man shall not have at this time a wife living, and that the woman shall not have at the time a husband living. Civil Cede, Sec. 1284.

The Legislature of 1874 has enacted the following law on this subject : " No marriage of a store). He Hawaiian woman with a Chinaman shall be invalid by reason of a previous marriage of such Chinaman in China; provided, such previous marriage shall have been unknown to such Hawaiian woman at the time of such marriage."

I cannot, however, give a retrospective action to this law and apply it to the marriage of petitioner with respondent in 1870; for by the laws laying of a corner-stone. A brisk young reporter | in force at the time the respondent, if she chose, would have a right to be relieved from this marriage, and would be entitled to a just allowance | Office and Drug Store. Cor. of Fort and Merchant Sts. for the support of herself and family out of the property of the petitioner.

Petitioner's counsel has cited from Bishop to the following effect: "But where the marriage is void by reason of some statutable or common law infirmity, as a former marriage undissolved, which has an existence quite independent of the in consequence, but in spite of his fraud, and allege, not the frand, but the other infirmity. It is for the interest of the public, not only that the status of the parties themselves should be known. but that the legitimacy or illegitimacy of the children should be ascertained and set at rest, A lecturer on the evolution theory recently which otherwise might be subject to doubt and

> It is difficult to reconcile the above with other citations from this learned text writer, and I regret that we do not possess the reports contain

ing the cases from which this doctrine is drawn. As there are no children the issue of the marriage of petitioner with respondent, a part of the reason fails. Considering the number of Chinese who are migrating to these islands and intermarrying with Hawaiian females, public policy would seem to require that the Courts should not encourage suits of this character. The opposite course might result in the frequent discarding of Hawaiian wives and the importing of Chinese. females under the claim that they were former

On the ground that no one can be the gainer from his own wrong, I refuse to grant the prayer of the petition.

A. S. Hartwell for petitioner. A. FRANCIS JUDD, Justice of the Supreme Court. Honolule, May 25th, 1875.

The Largest Flower in the World. On some of the East India Islands, where so many queer things grow, is found a flower that measures a full yard across. Yet it has only its

cup-like center, and five broad, thick, fleshy petals. Seen from the distance through the dark green leaves of the vines among which it grows, the rich tint of the flower, decked with apots of a lighter shade, is said to impart a warmth and brilliancy of color to the whole surrounding scene. But the nearer the observer comes the less does he like it, for its odor is disagreeable. Another bad trait of the rafflesia arnoldta is that it is too lany to support itself, but lives upon the labors of others. In the forest where it is found, there are many vines, sometimes climbing up the trunks of the trees, and sometimes trailing along the ground. Fastening itself to a vine sitution was apparently in a sound condition, but in the latter position, the enprincipled rafflesia grows without other trouble to itself than to draw. MANUFACTURES, IMPORTER AND DEALER for its own use, the nutriment which the industries from the collecting from the colle a new pair of boots there the day before and big, selfish flower, and can only work harder than wanted them. The sable financier opened the ever to collect supplies sufficient to nourish the | GROCERY, FEED STORE and BAKERY,

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